

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

LINDA M. LESLIE, Regional Director of Region 3 of the National Labor Relations Board, for and on behalf of the NATIONAL LABOR RELATIONS BOARD,

Petitioner,

No. 1:22-cv-00478-JLS

v.

STARBUCKS CORPORATION,

Respondent.

PETITIONER'S STATUS REPORT

On December 15, 2022, Petitioner, on behalf of the General Counsel of the National Labor Relations Board (NLRB), issued a Complaint and Notice of Hearing (Administrative Complaint) in NLRB Case 03-CA-304675. [ECF 71, Attachment 1]. Briefly, the Administrative Complaint alleges that the subpoenas issued by Respondent Starbucks Corp. (Starbucks) in this action are unlawful under the National Labor Relations Act (NLRA or Act). Such cases are analyzed under the three-step tests set forth by the NLRB in *Guess?, Inc.*¹. Specifically, it is alleged that the subpoenas restrain and coerce employees in violation of the NLRA and that the

¹ 339 NLRB 432 (2003).

subpoenas were propounded with an unlawful object of restraining and coercing witnesses who gave testimony in an NLRB administrative proceeding. An administrative hearing date has been set for February 9, 2023.

Based in part on the issuance of this complaint, Petitioner today will move for an extension of time to file a notice of appeal under Rule 4(a)(5)(A) of the Federal Rules of Appellate Procedure, and later this week, Petitioner intends to file a renewed motion with the Court to quash Respondent's subpoenas in this action. Respectfully submitted this 19th day of December 2022.

/s/ Caroline V. Wolkoff
COUNSEL FOR PETITIONER
National Labor Relations Board – Region 3
Leo O'Brien Federal Building
11A Clinton Ave. – Room 342
Albany, NY 12207
E-mail: caroline.wolkoff@nlrb.gov